App F IX 4

Previous References 1946 July Vol

File No 40-46
Serial Nos 175 176

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos TWO

Part B for July 47

SUBJECT

Election of Mr D Aswatha narayiah as Vice President of the Siddaphatta town Municipal Council

To

The Compiler duly

Notifies the

Allotment 37 47

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9947/L

Election of a Vice President to the Sidlaghatta Town Municipal Council

From
The Dy Comm Kolar Dt
No A S L B 34/46-47 Dt 10 6 47

Requests sanction to the election of Mr D Aswathanarayanaiah as Vice President of the Sidlaghatta Town Municipal Council

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1) Collector's Memo No 41/46 (A.S.L.) notifying the Reconstitution of the Sidlaghatta Town Municipal Council with effect from 12/1/47 is put up

2) The Municipal Council is stated to have expressed a desire for a non-official Vice President Elections were accordingly held on 10 3 47 when Mr D Aswathanarayanaiah was duly elected President, the two Contesting Candidates being Messrs D Aswathanarayanaiah and B Veerupakshappa

3) On 13 3 47 three Municipal Councillors Messrs Rajasekharasastry M Venkatarayappa and V Lakshminarayana Rao are stated to have filed a petition to the D C disputing the validity of the elections on the following grounds.

1) The Ex officio Councillors openly declared their contention of Revenue Inspectors should check

Election of Vice President to Town Municipal Council, Siddlaghatta

1947

rcluded the free exercise of duties by the ther members

(3) The above Enquiries did not disprove the Ballot papers or the Ballot Box and thus irregularity has vitiated the election proceedings

4) The DC is satisfied from enquiries instituted on his behalf that there has been no material irregularity to vitiate the proceedings as contended by the petitioners and that the petition has to be Rejected

5) The DC therefore Requests to notify the election of Mr D Aswathnarayanaiah as President

6) A draft notification is put up for approval or other orders

Rc 17/6/47 The DC Kolar writes that the findings of the Subdivision Officer, Chik Ballapur and states that the election has been conducted regularly his opinion may perhaps be accepted for the draft notification relating to the election of Mr Aswathnarayanaiah as the new President of Town Municipal Council approved

PTO

Election of Vice President of the Town Municipal Council, Siddlaghatta

1947 It is understood that the Ex-officio Members of the Council, Sri Venkatesh Murthy, Dr Narayana Reddy & Sri Ramaiah declared their intention - either at the beginning of the meeting or after all the members except Sri Venkatesh had voted - that they would remain neutral in this election. This attitude of theirs that they have taken has made much difference to the objective position of the opposite party. The Sub Division officer has fixed up the next date for the election and has come to the conclusion that the declaration when was made after all the 18 councillors had voted did not influence the result of the election.

Copy of the order is forwarded herewith.

The main objections in this connection are that the Ex-officio members, viz the Amildar & Dr Venkatesh declared openly both at the commencement & at the end of the elections their intention to remain neutral, which materially influenced the result of the election; & that they did not deposit their ballot

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Papers at all in the ballot box

The sub division officer enquiry into these allegations has disclosed their falsity.

The D C opines that the election is regular & held - & may be approved

For orders

Member Rev & Cus

OFFICE OF THE MINISTER FOR REVENUE
No - 11740
Dat 27-6-47

8
27/6/47

The election may be notified

L.
30/6 29/6.

Draft notification

for 30/6/47

for issue

3 JULY 1947

The draft notification approved

Sd/- BG 2/7/47

Issue

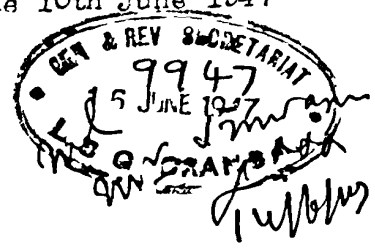
L. 2/7/47

Mr L 180/mc 40-ub-176 dt 4 7 47 notifies the election of Mr S Aswatha-narayanaiah as President of the Siddaghatta town municipality & the Complete Register gazetted Copy of the Govt order

B-4 7 47
BG

45 L B 34/46-47
Enc one file

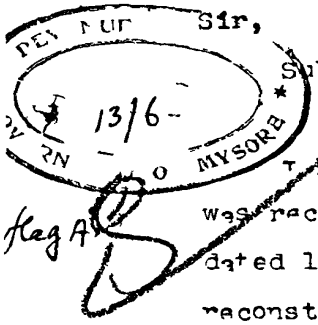
Office of the Deputy Commissioner, Kolar Distric
Kolar dated the 10th June 1947



To

M/ 40-46-13

The Secretary to Government of Mysore,
Revenue Department, Bangalore



Sir,

Subject:- Election of Vice President to Town Municipal Council, Sidlaghatta

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I have the honour to state that the Municipal Council Sidlaghatta was reconstituted by Government in their Order No I 8878/I L 41-46-51 dated 10th January 1947 to take effect from 12th January 1947 The reconstituted municipal council met on 18/2/47 and expressed their desire to have an elected non-official Vice President for their Municipality The election of the Vice President was conducted by the Amildar President at the Special Meeting of the council held on 10/3/47 In the elections held, Mr D Aswathanaranaiah was declared duly elected

On 13/3/1947 three municipal councillors Messrs Rajasekhara Sastry, M Venkatarayappa and M Lakshminarayana Rao, presented a petition to this office under section 19 of the rules relating to the election of non-official Vice President to Municipalities, contesting the validity of the election of Mr D Aswathanaranaiah as Vice President of the council The main allegation urged in their petition was that the Ex-Officio members viz , Dr Viduran and the Amildar President openly declared that they preferred to remain neutral and would not participate in the election proceedings and that this open declaration influenced the other councillor's who exercised their votes and as a consequence some of the members who wanted to vote for Mr Virupakshappa, voted for the other candidate Mr Aswathanaranaiah who has been declared Vice President They further add that the two Ex-officio members who took ballot papers did not deposit the same in the ballot box with the result that the entire eletion proceedings was vitiated by these irregularities and that therefore the election of the Vice-President should be declared null and void

The case was posted for hearing on 24/3/47 and the petitioners were heard on that day As the petitioners pressed for an enquiry into the matter, their petition with the connected papers were referred to the Sub Division Officer Chickballapur under section 13 of

section 13 of the Election Rules with a request to hold an enquiry into the case personally, and to record evidence of persons if need be and to report the result of his enquiry The Sub Division Officer, Chickballapur has made elaborate enquiries and has submitted a detailed report along with the evidence of the parties recorded by him It may be seen both from the report of the Sub Division Officer and from the deposition of the councillors that the allegations made in the petition are baseless in as much as the Ex-officio members have denied the allgation made by them that the Wilder and the Doctor openly declared that they would remain neutral before the commencement of the election proceedings It is clear from the evidence that the Ex-officio members gave out their opinion only when all the 18 municipal councillors had excercised their right and deposited their voting paper in the box It is then very clear that the Ex-officio members did not influence the election proceedings and that there were no material irregularities which could vitiate the election of Mr Aswathanarayanaiah Even at the time of recording the minutes of the election proceedings in the resolution book none of the councillors has raised any objection against the validity of the proceedings

In the circumstances, I agree with the Sub Division Officer, Chickballapur and request you to kindly cause to notify the election of Mr D Aswathanarayanaiah, as Vice President of Gidlaghatta Town Municipal Council. The election has been regularly conducted The connected proceedings of the municipal council accompany

The objection petition of Messrs Rajasekhara Sastry and others is frivolous and it may be rejected

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kolar District

NS

L 180/ML 40-46-176

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 17-6-47 / 27 47

NOTIFICATION

Under Section 23 (4) of the Mysore / ~~Section 10 (4) of the Mysore~~

Town Municipalities Act 1933 / ~~Minor Municipalities Act, 1933~~ Mr D Aswathanarayanah

is elected Vice President of the Siddaghatta Town Municipal Council

~~Town Municipal Council~~ / ~~Minor Municipal Council~~ Kolar District

By Order

Secretary to Government
Law Department

To—The Compiler Mysore Gazette for publication in Part III-3 of Gazette and supply of five copies thereof to the Secretariat and to the Deputy Commissioner of the District Concerned

MEMO NO L 181/10 R Dated 3/7/47

Copy to the above is forward with comliments to the Deputy Commissioner Kolar District for information with reference to his letter No A S/8 34 dated 10 6 1947 / 46 47

The records accompany

By Order

For Secretary to Government
Law Department

17/6

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 180/ Mul 60-46796 General and Revenue Secretariat
Dated Bangalore 6th July

NOTIFICATION

Under Section 23 (4) of the Mysore Town Municipalities Act, 1933, Mr D Aswathanaraniah is elected Vice President of the Sidlaghatta Town Municipal Council, Kolar District

By Order,

Secretary to Government,
Revenue Department

To

The Compiler, Mysore Gazette for publication in Part III-3 of Gazette and supply of five copies thereof to the Secretariat and to the Deputy Commissioner of the District concerned

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